IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Bail Appl..No. 1559 of 2007()

CRIME NO. 24 OF 2001 OF POZHIYOOR POLICE STATION

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PETITIONER/4TH ACCUSED

NESSAYYAN, AGED 45,
S/O.KOCHUPILLA, PALLATHU MELPURATHU VEEDU,
NEARBY PANANGOTTUKULAM AYIRA DESOM,
KARODE VILLAGE.

BY ADV. SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.1559 of 2007

DATED: 8th March, 2007

O R D E R

Petitioner who is the 4th accused in Crime No. 24/2001 of Pozhiyoor Police Station for offences punishable under Sections 447, 341, 323, 324 read with Sec. 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. 243/01 on the file of the J.F.C.M.--II, Neyyattinkara, non-bailable warrants of arrest are pending against the petitioner.

3. Counsel for the petitioner submits that the petitioner was compelled to go abroad due to various circumstances and that he is prepared to participate in the trial. Only two witnesses alone have so far been examined. Counsel also submitted that he will not seek cross-examination of the witnesses already examined. Such being the position, I am inclined to order the release of the petitioner on bail.

4. Accordingly, if the petitioner surrenders before the J.F.C.M.-II, Neyyattinkara, and files an application for regular bail

within 10 days from today he shall be released on bail on his executing a bond for Rs. 15,000/- (Rupees fifteen thousand with two solvent sureties for the like amount to the satisfaction of that court and subject to appropriate conditions including one ensuring his presence during the trial of the case.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

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